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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/716,672

11/20/2000

Vick Y. Tagawa

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EXAMINER

MOSLEHI, FARHOOD

ART UNIT

PAPER NUMBER

2154

DATE MAILED: 02/12/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/716,672

Applicant(s)

TAGAWA, VICK Y.

Examiner

Farhood Moslehi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-29 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1, 2, 4-8, 10, 11, 13-17, 19, 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Houlihan et al. (6,535,713) (hereinafter Houlihan).

4. As per claim 1, Houlihan shows a computer system for providing network training to students operating nodes linked to a data communications network, comprising:

A network training laboratory comprising computer networking devices communicatively linked to implement a functioning electronic communications network and operating in a first operation mode (e.g. col. 4, lines 28-32); and a training host communicatively linked to the

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communications network and to the network training laboratory for providing a communication connection between the computer networking devices and the student nodes and for generating and transmitting to the student nodes a student user interface comprising graphical representations of the computer networking devices in the network training laboratory (e.g. col. 4, lines 33-44 & col. 3, lines 5-17); wherein the training host is further adapted to provide a particular communication connection to a particular one of the computer networking devices in response to a student node selecting the graphical representation corresponding to the particular computer networking device (e.g. col. 3, lines 5-17).

5. As per claim 10, it is rejected for similar reasons as stated above.
6. As per claim 16, it is rejected for similar reasons as stated above.
7. As per claim 20, it is rejected for similar reasons as stated above.
8. As per claim 2, Houlihan shows the computer system wherein the computer networking devices include native interfaces and the communication connection provided by the training host is adapted for providing the native interface of the particular networking device to the selecting student node and for transmitting instructions to change the particular computer networking device from the first operation mode to a second operation mode (e.g. col. 3, lines 34-40).
9. As per claim 11, it is rejected for similar reasons as stated above.
10. As per claim 13, it is rejected for similar reasons as stated above.
11. As per claim 4, Houlihan shows the computer system, wherein at least one of the student nodes is located at a location physically remote from the network training laboratory (e.g. col. 4, lines 37-44).

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12. As per claim 5, Houlihan shows the computer system, wherein the computer networking devices include a router, and wherein the training host includes a router control server connected to the router and configured for providing the communication connection from the student nodes to the router (e.g. Figure 1).

13. As per claim 6, Houlihan shows the computer system wherein the router control server is configured as a terminal server with a terminal emulation program that enables the student nodes to remotely operate the router control server to provide the communication connection between the router and the student nodes (e.g. Figure 1. It is well established in the art that the simplest method to configure a router in a platform independent environment is through the use of a terminal emulation program. Given that a route exists between the student nodes and the router and providing the students with authentication information, then the network depicted in figure one allows students to remotely operate the routers).

14. As per claim 17, it is rejected for similar reasons as stated above.

15. As per claim 7, Houlihan shows the computer system, wherein the computer networking devices include a server, and wherein the training host includes a server control server connected to the server in the network training laboratory and configured for providing the communication connection from the student nodes to the server (e.g. Figure 1. The local Training Server and Local courseware storage device provide this functionality).

16. As per claim 8, Houlihan shows the computer system, wherein the server control server includes a remote access program that enables remote control of the server control to achieve the communication connection between the server and the student nodes (e.g. col. 7, lines 27-34).

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17. As per claim 14, Houlihan shows the method , further including saving information for the first operating state and the second operating state and with the training host, using the saved state information to place the computer networking devices in the network training laboratory into the first operating state or the second operating state (e.g. Figure 1. Expanded courseware storage system).

18. As per claim 15, Houlihan teaches the method, further including establishing employment criteria , wherein the first operating state is selected based on the employment criteria, and further including a job applicant with access to the remote node and comparing the second operating state to predefined acceptable operating states based on the employment criteria (e.g. Figure 3. giving access to users based on their employment criteria is inherent to the system).

19. As per claim 19, Houlihan shows the method, wherein the host computer system further includes a power controller linked to the computer networking devices and adapted for selectively providing power to each of the computer networking devices, and further including operating the power controller remotely from the remote node to control the selective provision of power (Power supply and provisioning of power among network devices is an inherent to the network).

Claim Rejections - 35 USC § 103

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

21. Claim 3, 9, 12, 18, 21, 22-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Houlihan in view of DeNicola et al (6,288,753) (hereinafter DeNicola).
22. As per claim 3, Houlihan does not specifically teach the computer system, wherein the training host includes a Web server and the student user interface is a graphical user interface comprising a Web page. DeNicola teaches the computer system, wherein the training host includes a Web server and the student user interface is a graphical user interface comprising a Web page (e.g. Figures 6 and 7). It would have been obvious to one of ordinary art at the time the invention was made to combine Houlihan and DeNicola. The motivation would have been to use a standard interface.
23. As per claim 12, it is rejected for similar reasons as stated above.
24. As per claim 18, it is rejected for similar reasons as stated above.
25. As per claim 9, Houlihan does not specifically teach the computer system, further including an instructor node communicatively linked to the communications network and adapted for transmitting a network state instruction set to the training host, wherein the training host is configured to respond to receipt of the instruction set by placing the computer networking devices in a second operation mode. DeNicola teaches the computer system, further including an instructor node communicatively linked to the communications network and adapted for transmitting a network state instruction set to the training host, wherein the training host is configured to respond to receipt of the instruction set by placing the computer networking devices in a second operation mode (e.g. col. 5, lines 30-48). It would have been obvious to one

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of ordinary art at the time the invention was made to combine Houlihan and DeNicola. The motivation would have been to add live-interactivity to the system.

26. As per claim 21, Houlihan does not specifically teach the method, further including connecting an administrative node to the data communications network and third operating the administrator mechanism to deliver an administrative interface to the administrative node that is configured to provide access over the direct communications path to each of the network devices of the laboratory. DeNicola shows teach the method, further including connecting an administrative node to the data communications network and third operating the administrator mechanism to deliver an administrative interface to the administrative node that is configured to provide access over the direct communications path to each of the network devices of the laboratory (e.g. Figure 7). It would have been obvious to one of ordinary art at the time the invention was made to combine Houlihan and DeNicola. The motivation would have been for remote administration of the student workstations.

27. As per claim 22, it is rejected for similar reasons as stated above; furthermore monitoring different operating environments is an inherent task of an administrator.

28. As per claim 26, it is rejected for similar reasons as stated above.

29. As per claim 23, Houlihan does not specifically teach the method, further including connecting a training partner node to the data communications network and fourth operating the administrator mechanism to deliver a training partner interface to the training partner node, wherein the training partner interface is configured to provide access to a resource scheduling application of the training host that is adapted for monitoring availability of the laboratory and for controlling access to the laboratory to reserved times. DeNicola teaches the method, further

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including connecting a training partner node to the data communications network and fourth operating the administrator mechanism to deliver a training partner interface to the training partner node, wherein the training partner interface is configured to provide access to a resource scheduling application of the training host that is adapted for monitoring availability of the laboratory and for controlling access to the laboratory to reserved times (e.g. Figure 4, “view scheduled courses” and col. 11, lines 5-10 and col. 10, lines 46-60. the virtual university format inherently schedules training sessions, furthermore, the pay-per-view model and cable programming model schedules sessions for predetermined times). It would have been obvious to one of ordinary art at the time the invention was made to combine Houlihan and DeNicola. The motivation would have been for access by users to session offerings).

30. As per claim 24, it is rejected for similar reasons as stated above.

31. As per claim 25, it is rejected for similar reasons as stated above.

32. As per claim 27, it is rejected for similar reasons as stated above.

33. As per claim 28, it is rejected for similar reasons as stated above.

34. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Houlihan in view of DeNicola and in further view of “official notice”.

35. As per claim 29, Houlihan in combination with DeNicola teach the method wherein prior to the first, second, and third providing, the administrator mechanism requests, receives, and verifies login information from the users of the student node (e.g. Figure 4), but they do not specifically teach verification of login information from users of the instructor node and administrator node. Official Notice is taken that it is well known in the art that login information

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and verification is taken from all users of networks. The motivation is to increase security in all segments of the network that are vulnerable to unauthorized usage and tampering.

Conclusion

36. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent Number 6,282,573 to Darago et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farhood Moslehi whose telephone number is 703-305-8646. The examiner can normally be reached on M-F 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 703-305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5484.

fm



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